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JUN 11 2002  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

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JUN 08 2002  
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WESTERN DISTRICT OF WASHINGTON AT TACOMA

BY DEPUTY

The Honorable Franklin D. ~~ENTERED~~  
ON DOCKET

JUN 11 2002

COPY RECEIVED DEPUTY  
KARR TUTTLE CAMPBELL

JUN 5 2002

By AS 2:30

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

FLOYD BALMER,

Plaintiff,

v.

TODD PACIFIC SHIPYARDS  
CORPORATION, a foreign corporation,

Defendant.

No. C01-5458 FDB

STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE

Stipulation

Plaintiff Floyd Balmer, through his counsel, Larry J. King and Harrell, Desper, Connell, Hunter & Gautschi, P.L.L.C. and Frederick H. Gautschi, III, George Hunter, and Bruce A. Harrell, and Defendant Todd Pacific Shipyards Corporation, through its counsel, Karr Tuttle Campbell and Richard Omata and Tracy Miller, hereby stipulate and agree that the above-captioned action be dismissed with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Each party to bear its own costs and attorneys' fees.

Dated: June 4, 2002.

HARRELL, DESPER, CONNELL, HUNTER &  
GAUTSCHI, P.L.L.C.

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George Hunter, WSBA No. 14388  
Bruce A. Harrell, WSBA No. 17173  
Attorneys for Floyd Balmer

STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE

ORIGINAL

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1  
2 *Authentication received 6/11/02*  
3 *by Frederick H. Hantel*  
4 Larry J. King, WSBA 01325  
5 Attorney for Floyd Balmer

6  
7 Dated: June 5<sup>th</sup>, 2002.

8  
9 KARR TUTTLE CAMPBELL

10 *Tracy M. Miller*  
11 Richard J. Omata, WSBA # 7032  
12 Tracy M. Miller, WSBA #24281  
13 Attorneys for Todd Pacific Shipyards Corporation

14  
15 ORDER

16 Pursuant to the foregoing stipulation, the Court ORDERS that the plaintiff's complaint in  
17 the above-captioned action is hereby dismissed with prejudice and with each party to bear its  
18 own costs and attorneys' fees.

19 Dated this 11 day of June, 2002.

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21 *[Signature]*  
22 The Honorable Franklin D. Burgess  
23 United States District Judge  
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STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE

car

United States District Court  
for the  
Western District of Washington  
June 11, 2002

\* \* MAILING CERTIFICATE OF CLERK \* \*

Re: 3:01-cv-05458

True and correct copies of the attached were mailed by the clerk to the following:

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Judge Burgess